

REMARKS

The Applicant wishes to thank the Examiner for thoroughly reviewing and considering the pending application. The Office Action dated October 28, 2005 has been received and carefully reviewed. Claims 1 and 4 have been amended. Claims 1-6 are currently pending. Reexamination and reconsideration are respectfully requested.

The Office Action rejected claims 1-3 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,195,910 to *Robineau* (hereinafter “*Robineau*”) in view of U.S. Patent No. 2,966,051 to *Gerhardt* (hereinafter “*Gerhardt*”). The Applicant respectfully traverses the rejection.

As required in Chapter 2143.03 of the M.P.E.P., in order to “establish *prima facie* obviousness of the claimed invention, all the limitations must be taught or suggested by the prior art.” The Applicant respectfully submits that neither *Robineau* nor *Gerhardt*, either singularly or in combination, disclose or suggest each and every element recited in claims 1-3. In particular, claim 1 recites a clothes dryer comprising, among other features, a “top cover comprising a groove provided at a rear portion.” Neither of the cited references disclose or suggest this feature. *Robineau* discloses a laundry dryer 16 having a top wall 22 and a control panel 28. *See e.g.*, col. 7, ll. 60-66. The control panel 28 includes a device-to-dryer second attachment component 102. The device-to-dryer second attachment component 102 is Velcro™ which includes hook and loop fibers. *See e.g.*, col. 10, ll. 7-16. According to the Office Action, the loop fibers are considered to inherently anticipate the claimed groove. *See* Office Action at pages 2 and 3.

As clearly shown in the Figures, the groove is a relatively long, narrow channel. This definition is clearly supported by any number of dictionaries, such as the American Heritage

Dictionary which defines the term groove as “a long narrow furrow or channel.” Thus, the Applicants are using the meaning of the term in the plain and ordinary sense. Velcro™ loop fibers are not long narrow furrows or channels. Velcro™ loop fibers are short pieces of line, thread, ribbon, or other thin material that is doubled over to form an opening, as is well known. Clearly, Velcro™ has nothing to do with a “groove” as that term is used in the present application, and *Robineau* therefore does not anticipate claim 1.

Even assuming, *arguendo*, that the loops somehow constitute a groove, *Robineau* still fails to disclose that the top wall 22 includes a groove. As may be clearly seen in Figure 1B of *Robineau*, the device-to-dryer second attachment component 102 is disposed at the back of the control panel 28. Alternatively, it may be attached to the dryer back wall 20. However, *Robineau* does not disclose that the device-to-dryer second attachment component 102 is attached to part of the top wall. Similarly, *Gerhardt* does not disclose a top cover having a groove at a rear portion thereof.

Furthermore, claim 1 has been amended to recite a control panel having a hook where “the hook inserts into a hole disposed in the groove.” The Applicant submits that neither of the references, either singularly or in combination, disclose or suggest this feature, in addition to the features described above. Therefore, claim 1 is, as are claims 2 and 3 which depend therefrom, patentable over *Robineau* in view of *Gerhardt* and the Applicant requests that the rejection be withdrawn.

The Office Action also rejected claims 4-6 under 35 U.S.C. §102(b) as being anticipated by *Gerhardt*. The Applicant respectfully traverses this rejection.

As required in Chapter 2131 of the M.P.E.P., in order to anticipate a claim under 35 U.S.C. §102, “the reference must teach every element of the claim.” The Applicant respectfully

submits that *Gerhardt* does not teach every element recited in claims 4-6. Thus, *Gerhardt* cannot anticipate these claims. More specifically, claim 4 recites a laundry dryer comprising, among other features, “a groove which runs along a width of the top cover wherein the groove directs fluid on the top cover toward an exterior of the laundry dryer.” First, *Gerhardt* does not disclose a laundry dryer. Instead, it discloses a washing machine. Second, *Gerhardt* does not disclose the groove as recited in claim 4. In maintaining the rejection, the Office Action alleges that *Gerhardt* discloses a groove 30 “wherein the groove directs fluid on the top cover toward an exterior of the laundry dryer (please see columns 2-5 wherein the disclosed water passage to the exterior is considered to anticipate the claimed groove fluid direction because both remove water toward an exterior of the drying apparatus)”. See e.g., the Office Action at page 3. The Applicant respectfully disagrees. *Gerhardt* does not disclose a groove 30. Instead, the element having a reference numeral 30 is an annular flange having a smooth surface which prevents injury to a person who is inserting clothes into the washing tub B. See e.g., col. 3., ll. 21-28. Even assuming, *arguendo*, that the annular flange 30 is somehow a groove as stated in the Office Action, the annular flange still does not direct fluid on a top cover toward an exterior of the laundry dryer. As may be clearly seen in Figures 2 and 4, the annular flange 30 would direct fluid toward an interior of the device shown therein, the exact opposite of what is claimed. Likewise, *Gerhardt* does not describe a water passage that leads to an exterior of the washing machine. Instead, *Gerhardt* discloses that during operation of the washing machine, water that travels out of the tub B flows into an outer tub 21 of the washing machine. See e.g., col. 4, ll. 19-32.

In addition, claim 4 recites “a control panel including a hook disposed at a surface of the control panel opposite the top cover wherein the hook is configured for insertion into the at

least one hole.” *Gerhardt* does not disclose these features. The Office Action alleges that “the disclosed peripheral flange 30 serves as the claimed hook because of its hooked shape and illustrated at a lower level of the control panel under the top cover and adjacent the disclosed opening 17.” *See e.g.*, the Office Action at page 4. The Applicant respectfully disagrees. The annular flange 30 is not disposed at a surface of the control panel opposite a top cover, as recited in claim 4. Instead, the annular flange 30 is integrally formed with the cover 11. *See e.g.*, col. 3, ll. 19-22. Moreover, as may be seen in Figure 2, the annular flange 30 is no where near the control panel 15.

In addition, the Office Action alleges that “furthermore the illustrated and disclosed shape meets the claimed limitation of being configured for insertion into the groove because the shape and function show that it may be configured for that purpose.” *See e.g.*, the Office Action at page 4. The Applicant disagrees for a number of reasons. First, as previously discussed, *Gerhardt* does not disclose a groove. Thus, even assuming *arguendo* that the annular flange 30 was somehow a hook, it does not follow that the annular flange 30 would fit into the groove. Second, according to the Office Action, the annular flange 30 functions as both a groove and a hook such that the annular flange 30 would fit into itself. The Applicant does not understand how the annular flange 30 can function as both a hook and a groove such that the annular flange, when functioning as a hook, would fit into itself, when the annular flange is also functioning as a groove. Accordingly, the Applicant submits that claim 4 is patentable over *Gerhardt* and requests that the rejection be withdrawn. Similarly, claims 5 and 6, which depend from claim 4, are patentable for at least the same reasons.

The Office Action also provisionally rejected claims 1-6 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 15-25 of co-

pending Application No. 10/629,775. As this is a provisional rejection, the Applicant will tend to this rejection upon an indication of allowability of the pending application.

The application is in a condition for allowance and favorable action is respectfully solicited. If for any reason the Examiner believes a conversation with the Applicant's representative would facilitate the prosecution of this application, the Examiner is encouraged to contact the undersigned attorney at (202) 496-7500. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

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